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Commenter: State Communications, Inc.

Applicant: BellSouth State: Louisiana Date: August 4, 1998

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

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In the Matter of)	
)	
Second Application by BellSouth)	CC Docket No. 98-121
Corporation et al. for Provision of)	
In-Region, InterLATA Services in)	
Louisiana)	

COMMENTS OF STATE COMMUNICATIONS, INC., IN OPPOSITION TO BELLSOUTH'S SECOND APPLICATION FOR INTERLATA AUTHORITY IN LOUISIANA

State Communications, Inc. hereby submits its comments on the second Section 271 application for in-region interLATA authority in Louisiana, filed by BellSouth Corporation et al. ("BellSouth") on July 9, 1998.

State Communications, Inc. is certificated to provide local exchange service in Kentucky, South Carolina and Florida, and has applications pending in the remaining states in BellSouth's region, including Louisiana. State Communications has been providing local service to customers by resale in Kentucky since May, 1998. In that short time, State Communications has encountered numerous instances of discriminatory conduct by BellSouth against it and its customers. Since BellSouth runs its operations for ordering and provisioning customers of competitive carriers on a regionwide basis, State Communications believes that its experience in Kentucky is relevant to the issue whether BellSouth is complying in Louisiana with its obligation not to discriminate against competitive carriers or their customers.

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I. BELLSOUTH HAS DISCRIMINATED AGAINST CUSTOMERS OF STATE COMMUNICATIONS IN KENTUCKY, AND SOUGHT TO CREATE DIFFICULTIES IN ITS SERVICE ORDERS.

The attached Affidavit of Hamilton E. Russell III ("Russell Aff't") describes several instances in which State Communications customers have reported that they encountered service problems after switching to State Communications and were told by BellSouth personnel that these problems would disappear if they switched back. For example, one customer in the Louisville area was told by BellSouth that her service could not be restored following an outage due to storm damage because she was a State Communications customer. Russell Aff't ¶ 2(d). Another customer of State Communications switched back to BellSouth after being visited by BellSouth representatives who told him that they were terminating his call waiting, call forwarding and caller ID services because he had switched to a competitor. Russell Aff't ¶ 2(g).

Last week, Russell was called by a customer who, after switching to State Communications, received a call from BellSouth telling him that State Communications was not authorized to provide local service in Kentucky. Russell Aff't ¶ 3. Russell recounts another incident in which a customer, after encountering a five-day delay in attempting to order Caller ID through State Communications (which had forwarded the order to BellSouth immediately), called BellSouth directly and was told BellSouth would provision the service on the same day. Russell Aff't ¶ 2(c). BellSouth told another customer that switching to State Communications would cause him to lose his personal ID number for accessing memory call service, and involved a risk of losing dial tone at any time and for no reason. Russell Aff't ¶ 2(a). As the attachments to the Russell Affidavit demonstrate, State

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Communications has brought these incidents to BellSouth's attention, without significant effect.

Indeed, BellSouth's general lack of responsiveness is epitomized by a recent call made by a State

Communications employee to the BellSouth Service Center to report a service problem; the call was

put on hold for 3 hours and 50 minutes before the line was disconnected. Russell Aff't ¶ 2(b).

The Russell Affidavit also describes BellSouth's refusal to provide oral assistance to State

Communications personnel when they encountered a situation in which compliance with BellSouth's

written guidance was not sufficient to avoid rejection of the order, on the ground that providing a

response to oral questions might discriminate in favor of one CLEC over another. Russell Aff't ¶ 4.

In addition, the Russell Affidavit describes BellSouth's failure to cooperate in an attempt by State

Communications to obtain automated access to customer E911 information (essential for any local

service request), so that manually entering this information from the LENS system would not be

required for every order. Russell Aff't ¶ 5.

State Communications has been soliciting customers and providing local service in Kentucky

for only three months. Yet it is already apparent that the BellSouth organization is not committed to

providing service to State Communications and its customers of the same quality as it provides to its

own retail organization and its own customers. BellSouth has a basic legal obligation of

nondiscrimination. As the Commission has explained, checklist compliance requires the BOC to

provide competing resale carriers access that is "equal to the level of access that the BOC provides

to itself, its customers or its affiliates, in terms of quality, accuracy and timeliness." Ameritech

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Michigan Order ¶ 139. By making it plain to customers switching to State Communications that

they might receive worse service unless they switched back, BellSouth has deliberately violated its

nondiscrimination obligation and exploited its monopoly control of the local network to discourage

customers from switching. That is exactly what section 271 was designed to prevent. Until

BellSouth corrects this situation, Section 271 bars its entry into the interLATA market.

II. PCS PROVIDERS ARE NOT COMPETING WITH WIRELINE SERVICE.

To establish eligibility for Track A treatment, BellSouth relies primarily on its interconnection

agreements with five PCS providers. Track A eligibility hinges on the existence of interconnection

agreements with "competing" providers of telephone exchange service. 47 U.S.C. § 271(c)(1)(A).

PCS providers are not "competing" with BellSouth's wireline service. PCS is a niche service,

catering to the special needs for mobility of certain high-end consumers. It does not represent a

viable alternative for the average consumer.

The predominant use of PCS is as a means of calling when away from the user's home or

place of business. That is confirmed by BellSouth's survey of PCS users, 84% of whom say they

use PCS as an alternative when they are away from their own phone, rather than using the wireline

service of friends or business associates. M/A/R/C Study at 4. The Commission has explained that

PCS offers products "that largely complement, rather than substitute for, wireline local exchange."

Application of NYNEX Corp. Transferor and Bell Atlantic Corp. Transferee, for Consent to Transfer

Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as Amended, to Provide In-Region InterLATA Services in

Michigan, 12 FCC Rcd 20543 (rel. August 19, 1997).

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Control of NYNEX Corp. and Its Subsidiaries, 12 FCC Rcd 19985, ¶ 90 (1997). That is because

"their installed technology and facilities are specialized for use in mobile communications." Id.

Competition with wireline on a mass market scale "is currently precluded as a practical matter by the

higher prices that mobile telephone service providers can charge." Id.

BellSouth has submitted a study purporting to show that PCS is price competitive with

wireline for up to 15% of residential consumers. "Competitive Analysis of PCS Offerings in the New

Orleans Major Metropolitan Area," atch. to Bannerjee Aff't ("Bannerjee Study). However, the

consumers for whom that study finds PCS to be price competitive are consumers with very low usage

patterns – less than 4 minutes a day of local calls (total incoming and outgoing). Bannerjee Study

at 22. For such consumers, the higher initial price of PCS is likely to be a deterrent, and such

consumers are not likely to be attracted by the mobility characteristics of PCS. To be sure, for some

consumers with much higher usage patterns, the mobility feature of PCS may make its higher price

worthwhile. However, as the Commission has made clear, persons who pay a higher price for PCS

to obtain mobility are purchasing a complementary, not a competitive service.

The purpose of section 271 was to promote local exchange competition that will benefit all

consumers, not just the niche market segment that PCS consumers currently represent. In that

context, the "competing provider" requirement of Track A must be interpreted to require the presence

of a provider with a much broader market appeal than PCS currently has.

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CONCLUSION

The Commission should deny BellSouth's application for interLATA entry.

Respectfully submitted,

Hamilton E. Russell, III
Vice President, Regulatory Affairs
and General Counsel
State Communications, Inc.
200 North Main Street
Suite 303
Greenville, South Carolina 29601

Dana Frix
Robert V. Zener
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
202 - 424-7500

Attorneys for State Communications, Inc.

Applicant: BellSouth State: Louisiana Date: August 4, 1998

AFFIDAVIT OF HAMILTON E. RUSSELL, III

Hamilton E. Russell, III, being duly sworn, hereby deposes and says:

- 1. My name is Hamilton E. Russell, III. I am Vice President of Regulatory Affairs and General Counsel of State Communications, Inc. State Communications is certificated to provide local exchange service in Kentucky, South Carolina and Florida, and has applications pending in the rest of the States in BellSouth's region, including Louisiana. In Kentucky, we began soliciting local exchange customers and providing local service in May, 1998. In dealing with BellSouth to order and provision and provide service to these customers, we have encountered numerous difficulties, which this affidavit describes. My responsibilities include discussing these difficulties with BellSouth officials, and in that connection I have asked our operations personnel to advise me of problems they are having with BellSouth.
- 2. On numerous occasions, customers who encountered service problems after switching to State Communications have told us that BellSouth personnel told them these difficulties would disappear if they switched back. Some of these incidents are documented in the attachments, as follows:
 - a) Attachment 1 (letter dated May 22, 1998 from Hamilton Russell to Marcus

 Cathey of BellSouth) relates that, on May 21, 1998, a customer recently switched

 to State Communications called BellSouth to complain about difficulty in

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accessing his memory call service, was told that his switch to State

Communications would cause loss of his personal ID number, and that in subscribing to State Communications he also risked losing his local dial tone at any time and for no reason. (Atch. 1 p. 2).

- Attachment 2 (letter dated July 15, 1998 from Russell to Cathey) relates that on July 9 and 10, 1998, State Communications customers who had signed up for its pre-paid local phone service plan and had already paid, and for whom BellSouth had confirmed acceptance of the order, were then terminated by BellSouth within days of paying their bills. When a State Communications employee called the BellSouth Service Center to report the problems, he was put on hold for 3 hours and 50 minutes before the line disconnected.
- Attachment 2 also relates that one of our customers attempted on a Wednesday in July to order Caller ID through us. We sent the order in to BellSouth the same day. When the customer called the following Monday to report that the Caller ID had not been installed, we called BellSouth and got no results. The customer then called BellSouth directly, and BellSouth promised to provision the service that same afternoon. Atch. 2 p. 2. The customer switched back to BellSouth.
- d) Attachment 2 also relates that one of our customers in the Louisville area called

 BellSouth following an outage due to storm damage and was told that because she

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was a State Communications customer BellSouth could not help her. This customer switched back to BellSouth.

- e) Attachment 3 (letter dated July 21, 1998 from Russell to Cathey) relates an incident in which one of our customers requested, when switching to us, to have Caller ID deluxe. After some delay, she got a letter that thanked her for switching back to BellSouth (although she had not done so) and stating that Caller ID was being added to her service with BellSouth.
- f) Attachment 3 also relates an incident in which one of our customers had her service cut off for two days after signing up with us. The BellSouth operator whom she called told her than the only way she could have her service switched back on was to switch back to BellSouth, which she did.
- g) Attachment 3 also relates an incident in which a customer who switched to us was visited at his home by BellSouth representatives to inform him that they were terminating his call waiting, call forwarding and caller ID services because he had elected to switch local service providers. The customer switched back to BellSouth.
- 3. On July 29, 1998, I received a call from a customer in Paducah, Kentucky, who recently switched to our service. He told me that, after switching, he received a call from a BellSouth employee who told him that State Communications was not authorized to provide local service in Kentucky. In fact, State Communications is authorized to

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provide local service in Kentucky, and I so advised the customer. The customer stated that he did not understand why BellSouth would tell him something that was not true.

- 4. Attachment 1 also describes problems we had attempting to order a PIC freeze lift for one of our customers. (PIC freezes are typically imposed for non-payment. State Communications has a plan for pre-paid phone service, which is targeted to customers who have had credit difficulties.) Our orders were rejected, although we believed we had followed BellSouth's manual and Ordering Guide. After calling BellSouth's Local Carrier Support Center, we finally called our account team manager, who told us that BellSouth could not give us oral instructions because in order to offer parity to all CLECs, BellSouth could not give us help different from that given to any others.
- 5. In Attachment 4 (letter dated May 6, 1998 from Reesa Shearer to Iris Ely) we describe BellSouth's refusal to give us automated access to a data base containing E911 addresses for each customer. This is information we must have to fill out a local service order. Presently, this information resides in the customer's record on LENS, but information in LENS must be accessed on a customer-by-customer basis and then manually entered onto an order. With automated access to E911 addresses, we could automatically provision the customer's local service via EDI, rather than sending each order manually. BellSouth cited economic considerations in refusing our request, although we offered to pay the reasonable costs associated with developing the process.

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I hereby swear that the foregoing is true and correct to the best of my information and belief.

Hamilton E. Russell, III

Subscribed and sworn to before me this

___ day of July, 1998

Notary Public



May 22, 1998

Marcus B. Cathey BellSouth Interconnection Services South E4F1 3535 Colonnade Parkway Birmingham, AL 35243

Dear Marc:

Over the course of the last few days we have encountered certain situations that have caused some concern to all of us here at State Communications. We wanted to bring these to your attention so that we might work with you towards a timely and satisfactory solution to these problems.

On Tuesday, May 19, 1998, members of our customer care department worked through a very frustrating situation regarding paper ordering. Our customer care representatives were in the process of ordering a PIC freeze lift for one of our recently acquired customers. As you know, this process is outlined in the CLEC Basic Training book, the LEO manual, and the Ordering Guide provided by BellSouth. Our customer care representatives have thoroughly reviewed these manuals in preparing to deliver orders to BellSouth and provision services to customers.

In attempting to complete the PIC freeze lift, our customer care representatives filed paper orders as described in the above-referenced manuals; however, for no apparent reason the orders were rejected. Reference to the manuals did not render a solution to the problem. Needing assistance, our customer care representative called Wes Summers at the Local Carrier Support Center. We contacted Mr. Summers because we were told that he would serve as our Support Center Manager. After explaining the situation and the difficulties we had encountered in submitting the paper orders, Mr. Summers responded that he didn't know how to complete paper orders and, therefore, could offer us no assistance with this problem.

In an attempt to find out why the orders had been rejected, members of our customer care division then called several other contacts we were referred to over the past few months by BellSouth representatives. We contacted another member of the LCSC who had helped us with other issues on another occasion. Unfortunately, the LCSC member was not available; however, during the conversation with one of her fellow workers, we were instructed not to call that location in the future.

As a last resort, our customer care representatives phoned Tom Bolding, our account team manager, to ask his assistance with the issue. Tom indicated that we should refer to the LEO manual, CLEC Basic Training book, and the Ordering Guide. Mr. Bolding stated that if the manuals failed to address the problem, we should use the "trial and error" method because there was no one to help us with our ordering difficulties. Mr. Bolding added that the LCSC wasn't to be used as a help desk. We tried to explain to Mr. Bolding that the manuals did not address the problem we were faced with and that we had exhausted our avenues for solving the problem. Additionally, we listed all of the people we had contacted for help, including Wes Summers, the individual assigned as our Support Center Manager at the LCSC. Surprisingly, Mr. Bolding was not aware that Summers had been assigned as our Support Center Manager.

200 North Main Street Suite 303 Greenville, South Carolina 29601 Post Office Box 6068 Greenville, South Carolina 29606

864.271.6335 864.271.7810 Fax 800.249.2735 Toll Free After a lengthy discussion between our customer care representatives and Mr. Bolding, Judy Slaughter, our Vice President in charge of Operations, joined in on the conversation. Judy expressed her concern that we could not submit an order correctly unless we "guessed" the correct procedure and that there must be someone at BellSouth who might help us with the procedure. Mr. Bolding responded that in order to offer parity to all CLEC'S, there could be no help to us different from that given to any others. Did Mr. Bolding mean to imply that BellSouth does not offer help to any CLECs that bring questions to BellSouth?

Mr. Bolding did inform us that BellSouth may establish a help desk for CLECs experiencing difficulty with submitting orders. Until that time, how can we be expected to compete with BellSouth on equal footing in a resale environment? Only BellSouth can provide answers to questions about the operation of their systems, but BellSouth appears unwilling to offer guidance when the system's operation differs from instructions provided in the BellSouth manuals.

Another complication that served to worsen the problem is that State Communications is served out of the Atlanta LCSC. It is our understanding that most other CLEC'S are served out of Birmingham. Whenever we discuss problems with BellSouth representatives in Atlanta, they automatically shuffle us to Birmingham. For instance, when we talked with Mr. Bolding, he called the Birmingham office to speak with a representative in charge of a help desk for residential resellers. Mr. Bolding, our account manager, did not realize we were served out of Atlanta. And, as you know, we were instructed not to contact BellSouth's Birmingham office. I'm sure there are some valid reasons why BellSouth directs us through Atlanta, but that knowledge needs to be forwarded to the BellSouth personnel assigned to work with us.

There is another issue I need to bring to your attention. On Thursday, May 21, 1998, one of our recently acquired customers called BellSouth's customer care center to discuss entries on his final BellSouth bill and to inquire about difficulties in accessing his memory call service. According to the customer, the BellSouth representative indicated that in choosing to receive local exchange service from a CLEC rather than from BellSouth, the customer would lose his/her personal identification number for accessing the voicemail system. Additionally, the BellSouth representative attempted to intimidate the State customer by warning him that in subscribing with State Communications he risked losing his local dial tone at any time and for no reason.

The substance of this conversation raises two issues. First, as you know, it is extremely prejudicial for BellSouth representatives to wrongfully disparage a CLEC's services. Second, our customer care representatives have for five months worked with BellSouth representatives to learn about all service interruptions and/or changes that will result from the transfer of a customer from BellSouth onto our system. Over the course of five months our employees attended training classes in Birmingham and participated in numerous face-to-face meetings and conference calls. Over that time, representatives of BellSouth did not advise anyone from State that a customer transferred from BellSouth to State would lose his/her personal identification number for voicemail access.

As you might imagine, our goal is to make each customer's transition from BellSouth to State as seamless as possible. In order to achieve this objective, we advise the customer of even the smallest inconveniences that the customer may encounter in exercising his/her right to choose State as his/her local exchange service provider. Don't you agree that BellSouth should have advised us of this difficulty, one that BellSouth knew would occur each time State transferred customers over to our system?

Following our discovery of this difficulty, Janis Johnson, the Director of Customer Care for State, called Micheal McGovern to ask if he knew that each customer would lose the ability to use his/her personal identification number to access voicemail following a switch to State Communications and, if so, why we were not advised of this complication. Mr. McGovern answered that he did know of this difficulty. If Mr. McGovern knew about this problem, a problem that would concern every customer switching to State Communications from BellSouth, why was this not brought to our attention during any of the meetings or conference calls that have taken place over the last five months?

We realize that we will both run into difficulties in our dealings. With that in mind, it is of the utmost importance for BellSouth and State Communications to work in good faith towards a solution that will satisfy both of us. We look forward to working with you to solve these most recent problems. Sincerely,

Hamilton E. Russell, III



July 15, 1998 Re: State Communications, Inc.

Marcus B. Cathey BellSouth Interconnection Services South E4F1 3535 Colonnade Parkway Birmingham, AL 35243

Dear Marc:

New situations have developed recently that have caused some concern to all of us here at State Communications. We wanted to bring these to your attention so that we might bring about a timely and satisfactory solution to these problems. All of us here at State Communications appreciate the hard work you are putting forth on our behalf. We bring these matters to your attention because the types of problems outlined below continue to impact our daily operations in a very significant manner.

As you may recall, State Communications has recently started offering a pre-paid local phone service to consumers in South Carolina through our First Pay division. On Thursday, July 9 and Friday, July 10, 1998 many of our newly acquired First Pay customers reported that, although they had signed up with our dealers, they were not receiving service. Our investigation revealed that even in cases where we had submitted an order for service to BellSouth and BellSouth had responded with a notice confirming the acceptance of the new order or renewal, the customer's service was being terminated days after the confirmation of the order. As you might imagine, these customers were very angry about the loss of service only days after having paid their bills. Please note that this problem impacted over 120 of our customers.

This situation leads us to believe that: (1) BellSouth is not provisioning services to State customers even though BellSouth has confirmed our orders; or (2) BellSouth is honoring termination orders submitted by other resellers that affect customers who have transferred to State. Please let us know if you have any suggestions about how to remedy this situation.

An incidental but more alarming problem related to the First Pay ordering difficulties centers on the services offered by the LCSC. After receiving the above-referenced complaints from our First Pay customers, Charles Houser called the LCSC to report the problems. Charles was on hold with the LCSC for over three hours and 50 minutes before the line disconnected. This is an unacceptable wait period for a response from the BellSouth division set up to offer aid to CLECs requiring help with provisioning orders.

Other concerns center around BellSouth's interactions with State Communications' customers. For instance, following a storm that caused damage to the Louisville area and downed phone lines, a State Communications customer reported the damage to a BellSouth operator. The operator told this customer that because she received service through State Communications, it was unlikely that her service would be cut back on. Other customers report that BellSouth operators tell them that State Communications is only a long distance company and that it is illegal for us to provide local dial tone.

There are additional problems with provisioning. One customer called to report that he had ordered Caller ID through State Communications on July 8, 1998. On the same day we sent the order to BellSouth. On Monday, July 13, 1998, the customer called to report that the Caller ID was not installed. A State

200 North Main Street
Suite 303
Greenville, South Carolina 29601
Post Office Box 6068
Greenville, South Carolina 29606

864.271.6335 864.271.7810 Fax 800.249.2735 Toll Free representative called BellSouth to inquire about the problem. BellSouth operators offered no relief for the State customer. However, when the customer called BellSouth to order the caller ID service, BellSouth promised to provision the service that same afternoon.

This sort of interaction by BellSouth representative with State Communications customers is unacceptable. It is extremely prejudicial for BellSouth representatives to wrongfully disparage a CLEC's services. Additionally, BellSouth is required to provide services and service provisioning to State Communications that is at least equal in quality to that provided to BellSouth and its end users. The above-referenced reports a sampling of our customers indicate that services and service provisioning provided to State and its end users are not "at least equal in quality" as called for by the Act and our resale agreement with BellSouth.

We appreciate any advice or other help you can offer that may help remedy these problems. Please give me a call if you have any questions.

Sincerely,

Hamilton E. Russell, III Vice President of Regulatory Affairs and General Counsel

cc: Tom Bolding
BellSouth Interconnection Services
9th Floor
600 North 19th Street
Birmingham, AL 35203

Michael D. Wilburn BellSouth Interconnection Services 9th Floor 600 North 19th Street Birmingham, AL 35203



July 21, 1998

Marcus B. Cathey BellSouth Interconnection Services South E4F1 3535 Colonnade Parkway Birmingham, AL 35243

Re: State Communications, Inc.

Dear Marc:

Over the past few days more of our customers and potential customers have reported concerns about the activities of BellSouth operators and other BellSouth representatives. While I have not listed all of the customer accounts provided to us, the instances described below reflect the type of problems our customers and potential customers continually report to us. Additionally, BellSouth continues to delay – sometimes for days on end - in provisioning orders for State customers while BellSouth representatives contact those same individuals and promise that BellSouth will have the customer's service up and running in no time. This type of discriminatory treatment is barred by the Act and, as you can certainly appreciate, significantly injures our business.

For instance, an individual switching to State Communications for local service requested at the time of the switch to have caller ID deluxe added to her account. State sent order to BellSouth. BellSouth sent State a firm order confirmation with an assigned due date. Shortly thereafter the customer reported that prior to the due date she received a letter from BellSouth thanking her for switching back to BellSouth and that the Caller ID was being added to her service with BellSouth. The customer, very concerned about the contact from BellSouth, called a State customer service representative to ask if State Communications had switched her back to Bell South. We informed the customer that we had not issued an order to switch her service back to BellSouth. We eventually worked out the problem, but it was a situation that never should have surfaced.

Another customer called our Customer Service Center to sign up on our service and our Customer Service Center worked the request in order entry. Following the delivery of a firm order confirmation from BellSouth to State Communications, this customer's service was cut off for two days. When this customer dialed the operator to report the problem, the BellSouth operator did not refer the customer to State Communications, but informed the customer that the only way that she could have her service switched back on was to switch back to BellSouth.

Additionally, another customer reported that after he heard one of our advertisements and then, in the next day or so, received information from State Communications, he decided to switch services. After calling our service center, we provisioned service for this customer. There were no problems with the provisioning of the customer's order. However, a day or so later BellSouth representatives show up at this customer's home to inform the customer that they were terminating his call waiting, call forwarding, and caller ID services because he had elected to switch local service providers. Needless to say, the customer was fairly intimidated by this visit and, because of the misinformation provided by the BellSouth representative, discontinued his service with State Communications.

200 North Main Street Suite 303 Greenville, South Carolina 29601 Post Office Box 6068 Greenville, South Carolina 29606 864.271.6335 864.271.7810 Fax

800.249.2735 Toll Free

These reports indicate (1) BellSouth continues to engage in improper activity with regard to provisioning State Communications' orders and (2) BellSouth operators and representatives continue to make erroneous and inflammatory statements to State Communications customers and potential customers. Both the Act and the BellSouth-State Communications Resale agreement prohibit the above-referenced activities. Please let me know how BellSouth plans to remedy these problems.

If you have any questions, please give me a call.

Sincerely,

Hamilton E. Russell, III Vice President of Regulatory Affairs and General Counsel

cc: Tom Bolding
BellSouth Interconnection Services
9th Floor
600 North 19th Street
Birmingham, AL 35203

Michael D. Wilburn BellSouth Interconnection Services 9th Floor 600 North 19th Street Birmingham, AL 35203



May 6, 1998

Iris Ely BellSouth Interconnection Services 34P70 BellSouth Center 675 West Peachtree Street, N.E. Atlanta, GA 30375

Re: New Business Request NC98-1534-00

Dear Ms. Ely:

I received your letter dated April 28, 1998 addressing State Communications, Inc.'s request that BellSouth work with State to develop a batch file process, where State would provide BellSouth with a data file of BTNs and BellSouth would respond within 24 hours with a data file of associated features and RSAG valid service addresses in a batch mode. This process could be modeled like the existing CARE processing system.

It is disconcerting that you have decided, on behalf of BellSouth, to decline our request without providing State with any tangible reasons for the denial. Although you contend that the "complexity of development and economic considerations" require BellSouth to decline State's request, your letter provides no guidance as to how we might work with BellSouth to remedy this situation.

You claim that the "complexity of development" prohibits BellSouth from developing this process; however, as you know, CARE currently provides data gathering to its customers/clients. This data gathering allows the customer to provide BellSouth with a file of BTNs and receive in return the corresponding WTNs and billing names. The process State requested for information from BellSouth could be the same type process with BellSouth providing two local pieces of information: the feature list and the RSAG E911 address. Accordingly, the "complexity of development" of such a system should not propose a meaningful barrier to the initiation of this process because an analogous procedure is already being utilized by/through CARE,

Your citation of "economic considerations" as a basis for your denial is unclear. During meetings and conference calls between employees of State Communications and various BellSouth employees including Tom Bolding, LaWayne Thrasher, Marcia Moss, Debbie Roberts, Frank Quinn, Tommy Gailey, and Bertha Smith, discussion centered around the need for an effective and cost efficient means by which State might interface with BellSouth in completing orders. BellSouth explained that the development of such a process might be costly. Representatives of State requested an estimate of the cost for the completion of this project. State requested these estimates because State was willing to pay reasonable costs associated with the development of this process. Additionally, State has offered to provide BellSouth with computer resources to ensure that BellSouth equipment is not required run this process. Therefore, any "economic considerations" may be set aside since State is willing to work with BellSouth to ensure that the project is economically feasible. Please remember that once this system is developed it will aid BellSouth in cooperating with State and other CLECS to ensure that quality services may be provided to consumers at reasonable prices.

On behalf of State, I request that you reconsider our request and attempt to work with us in developing a procedure that will facilitate the smooth completion of orders and ultimately benefit the consumer.

200 North Main Street

Sulhe 303

Greenville, South Caralina 29601

Post Office Box 6068

Greenville, South Coroling 29606

864.271.6335

864.271,7810 Fax

800,249,2735 Toll Free

Sincerely,

Reesa Shearer

Enclosure (1)



cc:

Tom Bolding
BellSouth Interconnection Services
Room South E4E1
3535 Colonnade Parkway
Birmingham, AL 35243

LaWayne Thrasher BellSouth Interconnection Services Room South E4E1 3535 Colonnade Parkway Birmingham, AL 35243

Marcus Cathey Vice President, Sales Assistant BellSouth 3535 Colonnade Park S E4E1 Birmingham, AL 35243

200 North Main Street Suite 303 Greenville, South Carolina 29601 Past Office Box 6068 Greenville, South Carolina 29606

864.271.6335 864.271.7810 Fox 800.249.2735 Toll Free

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMENTS OF STATE COMMUNICATIONS, INC., IN OPPOSITION TO BELLSOUTH'S SECOND APPLICATION FOR INTERLATA AUTHORITY IN LOUISIANA were served to each on the attached mailing list, either by Hand Delivery (as designated with an asterisk (*)), or by First Class Mail, postage prepaid, this 4th day of August, 1998.

Robert V. Zener

Magalie Roman Salas *
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Janice Myles *
Policy and Program Planning Division
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 544
Washington, D.C. 20554

Donald J. Russell *
U.S. Department of Justice
Antitrust Division, City Center Building
1401 H Street, N.W., Suite 8000
Washington, D.C. 20530

Joel Klein *
Assistant Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

I T S * 123 - 20th Street, N.W. Washington, D.C. 20036

Brian A. Eddington, Esq. General Counsel Louisiana Public Service Commission P.O. Box 91154 Baton Rouge, LA 70821 Walter H. Alford, Esq. 1155 Peachtree Street, N.E. Atlanta, GA 30367 David G. Frolio, Esq. 1133 - 21st Street, N.W. Washington, D.C. 20036

Gary M. Epstein, Esq. Latham & Watkins 1001 Pennsylvania Avenue, N.W. Washington, D.C. 20004

James G. Harralson, Esq. 28 Perimeter Center - East Atlanta, GA 30346

Michael K. Kellogg, Esq. Kellogg, Huber, Hansen, Todd & Evans, PLLC 1301 K Street, N.W., Suite 1000 - West Washington, D.C. 20005

Margaret H. Greene, Esq. 675 West Peachtree Street, N.E. Suite 4300 Atlanta, GA 30375